

1 THE HONORABLE JOHN C. COUGHENOUR  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 SHAY L. LEWIS,

14 Defendant.

CASE NO. CR21-0091-JCC

ORDER

15 This matter comes before the Court on the Defendant's unopposed motion to continue the  
16 trial date and the pretrial motions deadline. (Dkt. No. 42). Having thoroughly considered the  
17 relevant record, the Court GRANTS the motion for the reasons below.

18 Defendant was indicted for Distribution of Methamphetamine, Distribution of Controlled  
19 Substances, and Possession of Methamphetamine with Intent to Distribute. (Dkt. No. 1.) He was  
20 arraigned July 2021 and trial is currently set for November 7, 2022. (Dkt. No. 39.) Defendant  
21 moves to continue trial to January 23, 2023, citing the need for additional time for trial  
22 preparation, including time to complete an independent investigation and evaluate significant  
23 health, mitigation, and other evidence. (Dkt. No. 42 at 1–2.)

24 Based on the Defendant's representations, the Court FINDS the following:

- 25 1. The ends of justice served by granting this continuance outweigh the best interests of the  
26 public and Defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

2. Proceeding to trial absent adequate time for counsel to prepare, taking into account the exercise of due diligence, would result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(i).
  3. Taking into account the exercise of due diligence, a continuance is necessary to allow counsel the reasonable time necessary for effective preparation, reviewing discovery, and evaluating potential motions. 18 U.S.C. § 3161(h)(7)(B)(iv).
  4. The additional time requested is a reasonable period of delay.

It is thus ORDERED that trial shall be continued to January 23, 2023. Any pretrial motions shall be filed no later than October 25, 2022. It is further ORDERED that the time between the date of this order and the new trial date is excludable time under 18 U.S.C. § 3161(h)(7)(A).

DATED this 30th day of August 2022.

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John C. Coughenour  
UNITED STATES DISTRICT JUDGE